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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHARLENE BYNUM individually, as the
wife of RONALD BYNUM and as the
Guardian of the Person and Estate of
RONALD BYNUM,

Plaintiff,

vs.

CITY OF NORTH LAS VEGAS; JACOB
RAY (P#1886); RODRIGO DELARA
(P#2417); JOHN E TONRY (P#1684); JESSE
LEE CESENA (P#2425); ALEXANDER
PEREZ; JEFFREY K. LYTLE; YAPHET
MILLER; ET AL.

Defendants.

Case No.: 2:17-cv-02102-APG-VCF
CONSOLIDATED WITH
Case No.: 2:18-cv-00354-MMD-CWF

STIPULATION and ORDER
TO
EXTEND TIME
FOR
SERVICE OF PROCESS
First Request

Plaintiff's Statement of Facts:

Mr. Bynum was a 56-year-old man at the time he called the North Las Vegas Police to report a burglary in his home. Upon arrival at the scene, Mr. Bynum was behaving erratically. The North Las Vegas Police tased Mr. Bynum, threw him to the ground and hauled him to the Las Vegas jail.

1 Mr. Bynum was kept in the jail for 4 days. His need for mental health care was
2 documented but not provided. During the administration of what the defendants characterized as
3 reasonable force, he was beaten while in jail as a result of having become entangled in his
4 chains. He suffered a heart attack and is now in a coma from which he has not recovered.

5 The Defendant Las Vegas offers no explanation as to how this healthy, 56 year old man
6 without a cardiac history could have suffered a heart attack while in their custody. There are 41
7 Las Vegas Correctional Officer defendants named in the case for which the City of Las Vegas
8 has refused to accept service.

9 The Las Vegas defendants have been delivered a Notification of Litigation and
10 Acceptance of Service pursuant to FRCP 4(d).

11 Both the Plaintiff and Defendant Las Vegas agree it is in their mutual interests to extend
12 the time for service as they are in the process of negotiating the parties for which the City of Las
13 Vegas will accept service.

14 Plaintiff has already filed a motion (# 70) for the extension of time to serve. However, to
15 minimize the costs of litigation and streamline the course of litigation, Plaintiff and the City of
16 Las Vegas agree that the continuance is warranted. The other parties have no objection.

17 18 19 **STIPULATION**

20 The parties hereto stipulate and agree to extend the time for Plaintiff to serve defendants
21 from the current date May 25, 2018 to a date 90 days therefrom, August 24, 2018.

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2 Dated this 23rd day of May, 2018.

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4 Law Office of Dan M. Winder, P.C.

5 /s/ Dan M. Winder
6 DAN M. WINDER, ESQ.
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14 *Attorneys for Plaintiff*

15
16 Las Vegas City Attorney

17 /s/ John Curtas
18 BRADFORD R. JERBIC
19 By: City JOHN A. CURTAS
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/s/Robert Freeman
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Attorneys for Defendant North Las Vegas

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/s/ Brent Vogel
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Attorneys for CCS

27
28 **ORDER**

IT IS SO ORDERED.

Dated this 25th day of May, 2018


UNITED STATES MAGISTRATE JUDGE

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CERTIFICATE OF SERVICE

Pursuant to FRCP 5, LR IC 4-1, and LR 5-1, I hereby certify that I am an employee of the LAW OFFICE OF DAN M. WINDER, P.C., and that on the 24th day of May, 2018, I served the foregoing **STIPULATION AND ORDER TO EXTEND TO FOR SERVICE OF PROCESS.** on counsel as follows:

This Honorable Court's CM/ECF System:

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